

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

MONICA HARTMAN,	§	
PLAINTIFF,	§	
	§	
V.	§	
	§	
SOUTHERN HILLS PROPERTY GROUP	§	Case No. 4:24cv285
DEFENDANT.	§	
	§	
FIRST BANK	§	
GARNISHEE.	§	

ANSWER OF GARNISHEE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW First Bank, Garnishee, and files its Answer to the Writ of Garnishment filed by Monica Hartman, and would respectfully show the Court as follows:

I. PARTIES

First Bank is a Texas state-chartered bank with its office and principal place of business in Burkburnett, Wichita County, Texas.

II. GARNISHMENT RECITALS

Plaintiff's Writ of Garnishment was served on First Bank on May 17, 2024. Plaintiff's Writ of Garnishment stated that Garnishee is indebted or has in hand property belonging to Defendant, Southern Hills Property Group. The amount claimed to be owed by Defendant to Plaintiff as of April 1, 2024, is \$25,535.90.

III. PROPERTY SUBJECT TO GARNISHMENT

At the time the Writ of Garnishment was served upon First Bank, Defendant had the following accounts at First Bank:

Southern Hills Property Group is the owner of a Business Checking Account ending in 678 with a balance of \$1,219,462.50 as of May 17, 2024, the date First Bank was served. As of May 24, 2024, the balance of this account is \$1,222,982.30.

Southern Hills Property Group is the owner of a Money Market Account ending in 504 with a balance of \$500,000.00 as of May 17, 2024, the date First Bank was served.

Upon information and belief, First Bank alleges that these amounts belong to Defendant, Southern Hills Property Group, and that First Bank is indebted to Defendant, the Owner of said accounts, in those amounts.

IV. BINDING ORDERS

First Bank requests that all parties will be bound by and Judgment rendered herein and in order that First Bank will be protected from further liability by reason of having filed this Answer or by reason of any Judgment rendered in this proceeding.

V. ATTORNEY'S FEES

First Bank has employed the law firm of Elder, Bickings & Ellzey to represent First Bank in this proceeding. Said law firm was required to file this Answer on behalf of First Bank and to protect First Bank's interests. Accordingly, First Bank prays that it be awarded the reasonable cost thereof, including attorney's fees.

First Bank also requests that it be discharged from any individual liability under this garnishment.

PRAYER

WHEREFORE, PREMISES CONSIDERED, First Bank hereby requests:

1. That First Bank be discharged on this Answer, and that First Bank be discharged from any and all liability to Monica Hartman.
2. That First Bank recover its costs and expenses, including reasonable attorney's fees.

3. For such other and further relief to which First Bank may show itself justly entitled.

Respectfully Submitted,

FIRST BANK

By: /s/ Jonathan R. Ellzey
Jonathan R. Ellzey
ELDER, BICKINGS & ELLZEY
Texas State Bar No. 24075489
320 E. Third Street
Burkburnett, Texas 76354
940.569.2201
940.569.5032 fax
jon@aggielawfirm.com
Attorney for First Bank

VERIFICATION

THE STATE OF TEXAS :
:
COUNTY OF WICHITA :

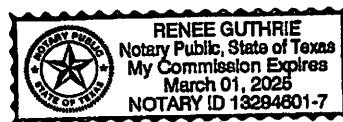
BEFORE ME, the undersigned Notary Public, on this day personally appeared Brandon Anderson, as President of First Bank, who being by me duly sworn, on his oath deposed and said that he is President of First Bank, that he has been authorized by First Bank to act in the aforesaid capacity and to swear to the foregoing Answer of Garnishee and that he has read the above and foregoing Answer of Garnishee and that every statement contained therein is within his personal knowledge and is true and correct.


FIRST BANK

By


Brandon Anderson, President

SUBSCRIBED AND SWORN TO BEFORE ME by Brandon Anderson, President of First Bank on behalf of First Bank, on this, the 24th day of May, 2024.




Notary Public, State of Texas

CERTIFICATE OF SERVICE

I certify that the First Bank's Answer of Garnishee was served through ECF on May 28, 2024, as follows:

Andrew Roman Perrong
Perrong Law PLLC
2657 Mount Carmel Avenue
Glenside Pennsylvania 19038
a@perronglaw.com

/s/ Jonathan R. Ellzey
Jonathan R. Ellzey